

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1227 Session of 2022

INTRODUCED BY BAKER, SANTARSIERO, COSTA, PHILLIPS-HILL, BARTOLOTTA, FONTANA, COLLETT, A. WILLIAMS, GORDNER, CAPPELLETTI, LAUGHLIN, KEARNEY, MENSCH, KANE AND SCHWANK, MAY 10, 2022

SENATOR J. WARD, AGING AND YOUTH, AS AMENDED, JUNE 14, 2022

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in children and youth,
4 providing for purpose.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
8 as the Human Services Code, is amended by adding a section to
9 read:

10 Section 701.1. Purpose.--(a) The purpose of this article
11 is:

12 (1) To protect children from abuse and neglect.

13 (2) To provide for the care, protection, safety and
14 wholesome mental and physical development of children coming
15 within the provision of 42 Pa.C.S. Ch. 63 (relating to juvenile
16 matters) or children who are receiving services enumerated in
17 this article.

18 (3) To preserve the unity of the family whenever possible or

1 to provide an alternative permanent family as soon as possible <--
2 when the unity of the family cannot be maintained.

3 (4) Consistent with the protection of the public interest,
4 to provide for children committing delinquent acts, programs of
5 supervision, care and rehabilitation which provide balanced
6 attention to the protection of the community, the imposition of
7 accountability for offenses committed and the development of
8 competencies to enable children to become responsible and
9 productive members of the community.

10 (5) To achieve the purposes in a family environment whenever
11 possible, separating the child from the child's parents only
12 when necessary for the child's welfare, safety or health or in
13 the best interests of public safety.

14 (b) In accordance with the purposes set forth in subsection
15 (a) and the mandate of 42 Pa.C.S. Ch. 63, that the court, upon
16 finding a child to be a dependent child, shall enter an order of
17 disposition that is best suited to the safety, protection and
18 physical, mental and moral welfare of the child, the department
19 shall prioritize the following objectives:

20 (1) To increase the use of nonplacement services designed to
21 prevent child abuse and neglect and to strengthen families so
22 that children's safety is increased and the risk to children is
23 minimized.

24 (2) If placement is necessary, to use kinship care as the
25 first priority. If kinship care is not available or appropriate,
26 to use family foster care as an alternative.

27 (3) To reduce the use of congregate-living and institutional
28 placements.

29 (4) To improve permanency for children to reduce the
30 duration of out-of-home placement.

1 (c) In accordance with the purposes set forth in subsection
2 (a) and the mandate under 42 Pa.C.S. Ch. 63-, that the court, <--
3 upon finding a child to be a delinquent child, shall enter an
4 order of disposition that is consistent with protection of the
5 public, the imposition of accountability for offenses committed
6 and the development of competencies to enable the child to
7 become a responsible and productive member of the community, the
8 department shall attempt to accomplish the following goals- <--

9 PRIORITIZE THE FOLLOWING OBJECTIVES: <--

10 (1) To increase the use of in-home services when consistent
11 with the protection of the public and the rehabilitation needs
12 of delinquent children.

13 (2) With respect to the placement of delinquent children:

14 (i) To encourage use of the in-home services when consistent
15 with the protection of the public and the treatment, supervision
16 and rehabilitation needs of delinquent children.

17 (ii) To operate and encourage the development of placement
18 resources that provide for a duration of placement that is
19 consistent with the protection of the public and the treatment,
20 supervision and rehabilitation needs of delinquent children.

21 (iii) To encourage the development of placement resources- <--
22 that provide for a duration of placement that is USE OF <--

23 COMMUNITY-BASED RESIDENTIAL RESOURCES AS ALTERNATIVES TO
24 INSTITUTIONAL PLACEMENTS WHEN consistent with the protection of
25 the public and the treatment, supervision and rehabilitation
26 needs of delinquent children.

27 (iv) To encourage the development of services and
28 programming to facilitate the successful transition of
29 delinquent children to their communities from periods of
30 residential placement.

1 Section 2. This act shall take effect in 60 days.